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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA

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8 BRIGETTE BATTIEST-RAY,

9 Plaintiff,

Case No. 2:12-cv-01676-MMD-CWH

10 v.

11 ORDER ADOPTING REPORT AND
12 RECOMMENDATION (dkt. no. 6)

13 MICHAEL J. ASTRUE, COMMISSIONER
14 OF SOCIAL SECURITY
ADMINISTRATION,

Defendant.

15 Before the Court for consideration is the Report and Recommendation of the
16 Honorable C.W. Hoffman, Jr., United States Magistrate Judge, entered January 9, 2013.
17 (Dkt. no. 6.) In a previous Report and Recommendation (dkt. no. 2), the Magistrate
18 Judge denied Plaintiff's request to proceed *in forma pauperis*, determining that based on
19 her reported yearly income and other assets, Plaintiff had sufficient assets to pay the
20 \$350.00 filing fee required to commence a civil action in this Court. The Court adopted
21 the Report and Recommendation. (Dkt. no. 3.) Plaintiff was given thirty (30) days to pay
22 the \$350.00 filing fee, but failed to do so. Instead, she submitted a second application to
23 proceed *in forma pauperis*. (Dkt. no. 4.) The Magistrate found no evidence to warrant
24 reconsideration of the denial of Plaintiff's previous application. (Dkt. no. 6.) No objections
25 have been filed.

26 The Court has conducted a *de novo* review of the record in this case in
27 accordance with 28 U.S.C. § 636(b)(1) and determines that Magistrate Judge Hoffman's
28 Report and Recommendation (dkt. no. 6) should be ACCEPTED.

1 IT IS THEREFORE ORDERED Plaintiff's Application to Proceed *in Forma*
2 *Pauperis* (dkt. no. 4) is DENIED. This action is dismissed. The Clerk of the Court is
3 HEREBY ORDERED to close the case.

4 ENTERED this 26th day of February 2013.
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7 MIRANDA M. DU
8 UNITED STATES DISTRICT JUDGE
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